

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
DONNA GAVIN)	
)	
Plaintiff,)	
)	C. A. No. 1:18-cv-10819-LTS
v.)	
)	
CITY OF BOSTON and MARK)	
HAYES)	
)	
Defendants.)	
_____)	

**PLAINTIFF DONNA GAVIN’S MOTION IN LIMINE
TO EXCLUDE EVIDENCE RELATED TO PRIOR LAWSUIT**

Pursuant to Fed. R. Evid. 402 and 403, Plaintiff Donna Gavin (“Gavin”) moves *in limine* that the Court preclude Defendants City of Boston (“City”) and Mark Hayes (“Hayes”) from submitting evidence related to a prior lawsuit filed by Barbara Brewster against Gavin and the City (referred to as the “Brewster Litigation”).

In connection with the interrogatories propounded upon her, Gavin identified that she had been a named party in the Brewster Litigation. In the 1990s, while a detective within the Sexual Assault Unit, Gavin was named in a lawsuit that was brought against her and the City. The lawsuit settled in or around 1993.¹

Given the significant amount of time that has passed and that the Brewster Litigation does not pertain to Gavin’s time in the Human Trafficking Unit or her time overseeing the Human

¹ As this is a case that dates back to the 1990s, Gavin does not possess all of the information regarding this case readily available but the City was a named party and presumably has access to the information.

Trafficking Unit or Crimes Against Children Unit, Gavin believes the Brewster Litigation to be irrelevant to the present lawsuit.

Accordingly, she requests that evidence regarding this case be excluded.

Respectfully submitted,

DONNA GAVIN

By her attorneys,

/s/ Lucia A. Passanisi
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Dated: September 29, 2021

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

The undersigned counsel hereby certifies that counsel for Plaintiff, Donna Gavin, and counsel for Defendants, City of Boston and Mark Hayes, conferred on September 28, 2021, to resolve the issues presented in this Motion. Counsel for Gavin also circulated a draft of this Motion on September 29, 2021, in advance of its filing. Counsel for the City indicated that they do not intend to discuss the Brewster Litigation as part of the present lawsuit. Counsel for Hayes did not respond, and therefore this motion is not being filed as assented-to.

/s/ Lucia A. Passanisi

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2021, a copy of the foregoing was served upon counsel of record through the Court's e-filing system.

/s/ Lucia A. Passanisi